

## **TFER TEMPORARY FOOD ESTABLISHMENT**

### **229.170. Temporary Food Establishments.**

(a) General. A temporary food establishment shall comply with the requirements of these rules except as otherwise provided in this section. The regulatory authority may impose additional requirements to protect against health hazards related to the conduct of the temporary food establishment, may prohibit the sale of some or all potentially hazardous foods, and when no health hazard will result, may waive or modify requirements of these rules.

(b) Food temperatures. All food temperature requirements shall be met as contained in 229.164(k) – (o) of this title (relating to Food).

(c) Ice. Ice that is consumed or that contacts food shall have been made under conditions meeting the requirements of these rules. (i.e. manufacturers labels on bags). The ice shall be obtained only in chipped, crushed, or cubed form and in single-use safe plastic or wet-strength paper bags filled and sealed at the point of manufacture. Ice for consumption shall be held in their bags until it is dispensed in away that protects it from contamination.

(d) Equipment.

(1) Design and construction. Equipment and utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.

(2) Location and installation. Equipment shall be located and installed and cleaned in a way that prevents food contamination and that also facilitates cleaning of the establishment (i.e. not adjacent to portable toilets).

(3) Hot and cold holding equipment. Equipment for cooling or heating food, and holding cold or hot food shall be adequate in number and capacity to provide food temperatures as specified under 229.164(k) – (o) of this title.

(4) Protection from contamination. Food-contact surfaces of equipment shall be protected from contamination by consumers and other contamination sources. Where necessary to prevent contamination, effective shields for such equipment shall be provided (i.e. condiments with lids).

(5) Alternative manual warewashing. Alternative manual warewashing equipment, such as receptacles (i.e. three plastic dish tubs to wash-rinse-sanitize) that substitute for the compartments of a multi-compartment sink, may be used when there are special cleaning needs or constraints and the regulatory authority has approved the use of alternative equipment.

(e) Single-service articles. A temporary food establishment shall provide only single-service articles for use by the consumer (i.e. disposable food containers).

(f) Water. Water from an approved source shall be made available in a temporary food establishment for food preparation, handwashing, and for cleaning and sanitizing utensils and equipment. Water need not be under pressure but shall come from approved sources which include: commercially bottled drinking water, closed portable water containers, enclosed vehicular water tanks, on-premise water storage tanks, or piping, tubing or hoses connected to an approved source.

(g) Wet storage. Packaged food may not be stored in direct contact with ice or water if the food is subject to the entry of water because of the nature of its packaging, wrapping, or container or it's positioning in the ice or water.

(h) Sewage. All waste water and sewage generated from the establishment shall be disposed of through an approved sanitary sewage system that is constructed, maintained and operated according to law (i.e. not storm sewer gutters).

(i) Handwashing. Handwash facilities shall include an insulated container with a spigot that can be turned on to allow potable, clean, warm water to flow; a wastewater container; soap; disposable towels; and a waste receptacle. Handwash facilities are not required if the only food items offered are commercially pre-packaged foods that are dispensed in their original containers (i.e. no open food or ice).

(j) Floors. If graded to drain, a floor may be concrete, machine-laid asphalt, dirt, or gravel if it is covered with mats, removable platforms, duckboards, or other suitable materials approved by the regulatory authority that are effectively treated to control dust and mud.

(k) Ceilings and outer openings of food preparation areas.

(1) Ceilings. Ceilings shall be made of wood, canvas, or other materials that protect the interior of the establishment from the weather, windblown dust, birds, and debris.

(2) Outer openings. The outer openings shall be protected against entry of insects and rodents by:

(A) 16 mesh to 25.4 millimeters (16 mesh to 1 inch) screens;

(B) properly designed and installed air curtains; or

(C) other effective means (i.e. fans for reverse air currents to prevent flies in food areas).

(3) Exclusion provisions. Paragraph (2) of this subsection does not apply if flying insects and other pests are absent due to the location of the establishment or other limiting condition.